New Jersey Public Broadcasting Authority Meeting of the Archives Committee

January 9, 2013 at 2:30 p.m.

Lowenstein Sandler, P.C. Conference Room and by Conference Call 65 Livingston Avenue, Roseland, NJ 07068

MINUTES

Cornell W. Brooks, Chair, Presiding

Minutes of the meeting of the New Jersey Public Broadcasting Authority ("NJPBA" or "Authority") Archives Committee (the "Committee") held at the Lowenstein Sandler, P.C. Conference Room, 65 Livingston Avenue, Roseland, NJ 07068, and by Conference Call on Wednesday, January 9, 2013, at 2:35 p.m.

1. CALL TO ORDER, OPEN PUBLIC MEETINGS ACT STATEMENT AND ROLL CALL

Chair of the NJPBA Archives Committee, Mr. Cornell W. Brooks, called the meeting to order. Chair Brooks read the Open Public Meetings Act statement as follows: In accordance with the provisions of the Open Public Meetings Act of the State of New Jersey, notice of this meeting has been filed with the Office of the Secretary of State, has been posted on the appropriate bulletin boards maintained for such purposes by the Authority, distributed by press release to two daily newspapers in New Jersey, and announced on NJTV. Notice was made in advance of this meeting.

Chair Brooks thanked Executive Director John Blair and the NJPBA staff for the work that was done to date supporting the preservation of the media assets ("assets" or "Archives") created by the former New Jersey Network ("NJN") and owned by the NJPBA. Chair Brooks asked Mr. Blair to introduce those present and participating at the meeting. NJPBA Archives Committee Members present and participating at the meeting were Cornell W. Brooks, Chair; Joseph Klett, Director, New Jersey State Archives; Kent Manahan, former Chair of the Board of the NJPBA and former Anchor of NJN News; Ingrid Reed, former Director of the New Jersey Project, Eagleton Institute of Politics at Rutgers University (via phone); Robert Smartt, Member of the Board of Trustees of Public Media NJ and Visiting Associate, Eagleton Institute of Politics at Rutgers University; Allison Tratner, Director of Communications, NJ State Council on the Arts. Also present and participating were John Blair, Executive Director, NJPBA; Joshua Ranger, Senior Consultant, Audio Visual Preservation Solutions; John Servidio, General Manager, Public Media NJ; Winter Shanck, Archivist, WNET (via phone); Sarah Rosen.

Development, Public Media NJ; and Nichol Gee, Office Manager, NJPBA (taking minutes).

Mr. Blair explained the reasons that those present and participating were invited to the meeting. He said that other members may be recruited for the Committee in the future. Mr. Blair stated that he expected the Committee would meet as needed as the Archives project progressed.

2. CHAIRMAN'S REPORT

Chair Brooks stated that during the discussions leading up to the New Jersey Public Broadcasting System Transfer Act, L. 2010, c. 104, many questions and concerns were raised regarding the repository of media assets created by NJN. Chair Brooks stated that he wrote to the Chairman of the Board of the NJPBA, Andrew P. Sidamon-Eristoff, to request a committee of the Board be created due to national trends and the concern for the preservation of the Archives in the State of New Jersey (the "State") as expressed in conversations with many of those present and participating at the meeting. Chair Brooks stated that NJPBA Chair Sidamon-Eristoff responded quickly in agreement, acknowledging that this was a priority for NJPBA and the State. Chair Brooks stated that the generous, initial funding received from the Robert Wood Johnson Foundation ("RWJ") validated the importance of this work and that the Committee would need to be very thoughtful regarding the next steps, partnerships, and ways in which the Committee leveraged these State assets with philanthropic concerns. Chair Brooks said it would be important that the Committee hear diverse voices from cultural and State institutions and that he expected the Committee to expand over time. Chair Brooks said the challenge before the Committee was to ensure that the project continued to move forward after this initial investment. Chair Brooks said he had spent eight (8) years working at the Federal Communications Commission ("FCC") focused on access to technology, that he was also a civil rights lawyer for twenty (20) years, and that he was committed to this project because of those kinds of concerns.

3. EXECUTIVE DIRECTOR REPORT

Mr. Blair thanked Ms. Manahan for her role in obtaining the grant from RWJ to begin the Archives project. Mr. Blair stated that assets were previously located in multiple locations and that some remained in storage at the State's Records Center. He said that assets located in the former NJN facilities in Newark, New Jersey, and at Richard Stockton College were packed and brought to the NJPBA headquarters in Trenton, New Jersey. Mr. Blair said a complete inventory of the assets did not exist, with some assets recorded in a database, some assets recorded on catalog cards, and some assets having no written records whatsoever. Mr. Blair said this made it difficult to create budgets for the preservation of the Archives because what was actually there was unknown.

Mr. Blair explained that Phase One of the Archives project was to create an inventory and identify "at risk" assets. Mr. Blair said the format of the assets was a greater risk factor than age. He said that some of the older content on safety film, for example, was in better condition then content on newer U-matic tape. Mr. Blair stated that if an item was nearing the end of its shelf life, it would only be played in the context of creating the archival version because it may not be possible to play it more than one time, and it may require professional expertise in order to play it at all.

Mr. Blair stated that it is necessary to establish priorities for the preservation of the assets based on condition and content. He said NJPBA also needed to find a permanent solution for how the Archives would be preserved and made accessible to the public. Mr. Blair stated that there are national database schemas to which the project should conform.

Mr. Blair stated that he initially expected the digitization of the assets to be done at the NJPBA, but that without proper equipment and staffing, it would be necessary to send the materials elsewhere for digitization. Mr. Blair said he has spoken with the firm that the Corporation for Public Broadcasting ("CPB") selected for the National Archives. He said the NJPBA must look into the costs associated with preserving the Archives and the partnerships that will be required going forward to house the Archives. He stated that potential partners could be New Jersey institutions, national institutions, or a combination thereof.

Mr. Blair said that he would be able to develop budgets for subsets of the total Archives after Phase One of the Archives project was complete. Mr. Blair stated that the final goal of the project would be to preserve all of the assets and make it possible for the public to view them online with the ability to obtain a production copy, if needed. He gave examples of the types of content requests the NJPBA typically receives. Mr. Blair then opened the floor for questions.

Ms. Reed asked if stations submitting content for the National Archives retained a duplicate. Mr. Blair stated that it would be possible to share the NJPBA database with the National Archives so that a researcher could be directed to the NJPBA for content or that the National Archives could have a copy available also. Chair Brooks stated that there could be an advantage for having the content listed in multiple databases.

Ms. Shanck explained that the American Archive project for the creation of the National Archives was developed in phases, and that the first phase was to identify the cost and resources needed to preserve both analog and digital collections. She said that WGBH had managed the process by which stations applied for funding to archive their content. Ms. Shanck said it was unfortunate that this process took place as NJN was closing. She said the American Archive project received inventories from the stations and that CPB provided funding for the digitization of a portion of those inventories. Ms. Shanck said CPB was looking for a vendor to take over the National Archive and manage it for at least one year. She said the NJPBA was one or two steps behind the American Archive project.

Discussion continued regarding the preservation of the Archives, public access to the content, and the rights issues involved in such a project. Mr. Klett stated that partnerships and arrangements would be possible so long as the State's rights to the materials remained in perpetuity. Mr. Ranger stated that the National Archives was a portal for data, not the content itself. Ms. Shank confirmed that the National Archives was providing public access to the inventory records of the stations, but that the stations maintained the rights to the media. She said that the data could have multiple access points, and that the National Archives could provide greater access outside of New Jersey.

4. WNET AND NJTV REPORT

Ms. Shanck, Archivist for WNET, stated that WNET had partnered with NJPBA to write and submit the grant proposal to RWJ. Ms. Shanck said she had previous experience managing projects like the NJPBA Archives project and that she was the project manager for the grant. She said AVPS was contracted to perform the work because neither NJPBA nor WNET had the staff to do so. Ms. Shanck said Phase One started on September 12, 2012, and had an end date of February 13, 2013, but that she intended to request an extension due to a longer start up period than had been anticipated. Ms. Shanck indicated that the extension request must include an estimated start date for a beta project to digitally preserve a subset of the Archives. Mr. Blair said the Committee would not be able to provide that information at this meeting, but that he would work on it at the staff level. Ms. Shanck stated that she needed the information in a timely manner in order to submit the extension request by the end of January.

5. AUDIOVISUAL PRESERVATION SOLUTIONS REPORT

Mr. Joshua Ranger, Senior Consultant for AudioVisual Preservation Solutions ("AVPS"), referenced a PowerPoint presentation throughout his report. Mr. Ranger stated that AVPS was a New York based firm that conducted these types of inventory projects and provided consulting services to help establish guidelines and make recommendations regarding target formats, prioritization, etc., for the creation and ongoing access and maintenance of archival collections. Mr. Ranger said that AVPS primarily worked with non-profit entities such as public broadcasters, museums and art groups, and that he specifically focused on collections assessments and inventories, with recent clients including Julliard and KCET.

Mr. Ranger explained the difference between collections maintained in a production environment versus an archival environment. He said that archival collections were more purposeful and organized whereas production collections, such as the NJPBA tape library, were more idiosyncratic since tapes were regularly used and moved. Mr. Ranger stated that AVPS was going into NJPBA's production environment and collecting the information necessary to create an archive. Multiple pictures were shown in the PowerPoint presentation to illustrate the variances AVPS encountered at NJPBA regarding the organization and labeling of the media assets.

Mr. Klett asked if AVPS was maintaining the current organizational structure of the Archives as they were conducting the inventory. Mr. Ranger confirmed that the assets were staying in the same locations, but that they were assigned location codes based on room, box and/or shelf. Mr. Blair noted that NJPBA had quality storage for the assets, but that assets which NJPBA acquired from other entities, such as national productions, needed to be weeded out of those areas. He said this part of the project was underway, and that thirty (30) minute beta tapes which were removed would go to a recycling company, but the longer tapes would go to a dumpster since there was little need in the marketplace for tape. Mr. Ranger confirmed that there was not much of a market for tape at this time.

Mr. Ranger discussed the inventory that AVPS was creating. He stated that descriptions of the media were based on labels found on the assets. Mr. Ranger explained that some tapes were used multiple times and had conflicting labels or no labels whatsoever, and that those assets were being entered as "unknown" and would need to be viewed at a later point in the project to determine the content. Mr. Ranger said that in his experience, those types of assets were not typically important for the future, however, and that the focus should be on what was of known importance. Discussion continued regarding the label details and organization of the Archives in various parts of the NJPBA building.

Mr. Ranger stated that some of the materials AVPS found was content that was acquired from other sources and not owned by NJPBA. Mr. Blair stated that typically this was material that would be licensed for a specific purpose, but the paperwork for that would be impossible to locate. Mr. Klett asked what rights would govern that content moving forward. Mr. Blair stated that he believed that if content was used in a program, that program could be viewed but that content could not necessarily be repurposed.

Mr. Ranger explained the process AVPS was using to create the inventory of the Archives. He stated that workers on-site in Trenton, New Jersey, were taking photographs of every side of each asset, and then catalogers were working off-site in New York to enter the data from the pictures. Mr. Ranger said the data being entered was focused on information that would help with planning, prioritizing, and budgeting the preservation of the Archives, such as tape format, run time, title, and generation. Mr. Ranger said the pictures would be retained with each entry in the database so that further details could be extrapolated for descriptive cataloging in the future. Mr. Ranger stated that prioritization would merge both condition and content concerns. Discussion continued regarding the inventory process and the number of assets. Mr. Ranger stated that 51,038 items had been uploaded to date and 41,629 records had been completed. He said that AVPS anticipated that the final inventory would include 80,000 to 100,000 records.

Mr. Ranger discussed the American Archives project. He stated that AVPS helped develop the metadata standards for that project and was building a system to manage the data and digitization process. Mr. Ranger stated that 120 public media stations had participated in the project which generated 2.5 million records to date, and up to 40,000 hours of that content would be digitized. Comparatively, Mr. Ranger said that the NJN

Archives was one of the biggest collections and was very important because of the amount of local production it included. Ms. Manahan noted that NJN was one of the largest producers of local content in the PBS system. Mr. Ranger stated that the people involved with the American Archive project were mortified when the station closed. Mr. Ranger said that the inventory records being created from the NJN Archives was aligned with the data from the American Archive project.

Ms. Manahan asked Mr. Ranger to discuss the timeline for the NJN Archive project. Mr. Ranger said AVPS began the on-site work on November 14, 2012, and expected that to be completed by the end of January 2013. He said the off-site cataloging would be completed in February or March, and that the other aspects of Phase One, such as cleaning up the data and talking with vendors for insight on budgeting and prioritization, should be completed in March or April.

6. DISCUSSION OF ARCHIVES PROJECT AND FUNDRAISING

Mr. Blair stated that the work done under Phase One of the project was funded by a grant from RWJ. Mr. Blair said there was an understanding that RWJ had about \$750,000 available for the Archive project, but the initial grant was for only half of that amount. Mr. Blair stated that the grant was given for a finite time, and that Ms. Shanck would seek an extension so the final report would be submitted in the Spring of 2013. At that time Mr. Blair said a new proposal would be submitted for additional funding, and he expected that by then priorities would be established, costs for digitization would be known, and he would be able to create an appropriate budget with a list of deliverables. Ms. Manahan stated that Governor Kean, as chair of RWJ, had secured up to \$750,000, but that his term as chair would be ending this month, so it would be appropriate to prepare an update of the project for him before his term expired. Ms. Manahan indicated that more funding from RWJ could be available.

Mr. Klett stated that the State Archives' primary concern regarding the NJN Archives was the State's rights and public access to the assets. He stated that what the State Archives could offer in terms of being a repository of the assets in the future was evolving. Mr. Klett said that New Jersey was one of thirteen (13) states without an infrastructure for electronic records, and that he was working on a proposal which would support this project. Mr. Klett indicated that the digitized assets may be able to be maintained with the State's electronic records in the future. Mr. Blair stated that any assets accessioned by the State Archives would become the property of the State Archives. Mr. Klett stated that this was a unique and unprecedented situation which would require new, creative solutions. Mr. Blair indicated that copies could be created specifically for the State Archives. Mr. Brooks asked if any other states had dealt with this issue. Mr. Klett stated that he was not aware of any other state archives that were involved with anything at this level. Mr. Blair noted that the distinction in the case of the NJN Archives was that the assets were, in essence, orphaned, whereas other state broadcasters remained in production and maintained their own libraries. Mr. Klett stated that this issue could be considered as a factor in the development of the State of New Jersey's electronic archives.

Mr. Smartt stated that the Eagleton Institute was interested in providing public access for certain subsets of the Archives related to the website Eagleton was creating about the Office of the Governor, but that Eagleton would not be a repository of assets. Mr. Smartt suggested that working with Eagleton in this manner presented an opportunity to showcase the Archives and highlight their value to garner interest and support. Mr. Blair agreed that the content Eagleton was seeking was important content that was easily identifiable and could be a priority for the Authority.

Discussion continued regarding the interests of the Eagleton Institute compared with those of the State Archives and the National Archives. Chair Brooks stated that the yardstick of prioritization would be found in the nexus of these varying interests. Mr. Blair stated that assets needed to be digitized before they could be accessible for viewing on partner websites. He said that when the NJPBA licensed content for display, the Authority should also lay out the procedures to handle requests for acquisition of the content, recognizing that in the past, there was not enough of a demand for content to expect this to be a significant revenue stream.

Mr. Klett stated that under the Open Public Records Act ("OPRA"), the State cannot charge for copies of electronic records, but that the State Archives was exempt from the OPRA fee structure. He suggested that the NJPBA may need to seek exemption as well. Mr. Servidio asked if the NJPBA licensed out the content to another entity, if that entity could then charge for copies. Mr. Klett stated that these were legal issues that Assistant Attorney General Mistry would need to research. Discussion continued regarding the issues related to licensing rights and OPRA.

Mr. Blair stated that additional funding would be needed to preserve the Archives, the sum total of which was unknown, but could be in the millions of dollars. He asked how it would be possible to raise those funds. Discussion of potential fundraising opportunities continued. Ms. Shanck stated that some foundations have arms for preservation funding, but that these foundations usually look for collaboration beyond the original institution. Ms. Manahan stated that NJPBA should develop a list of friends and New Jersey institutions and that conversations with key people in these groups could lead to fundraising opportunities. Mr. Smartt suggested that the Council of New Jersey Grantmakers could be a resource. Mr. Klett stated that it may be possible to identify State funding for maintenance of the physical assets, but that funding for the digital conversion of assets was not available from the State.

Ms. Tratner inquired about the difference between digitizing the assets and preserving the Archive. She said that the New Jersey State Council on the Arts ("NJSCA") had the content NJSCA co-produced with NJN digitized and saved on three (3) hard drives since that was the best NJSCA could do at the time. Discussion continued regarding the difference between a digital copy and a preserved, archival copy. Mr. Ranger stated that archival copies are uncompressed files, and then typically derivatives of that would be created for access. Chair Brooks stated that gaining access to the assets as quickly as possible would help build support with the public and with funders. Mr. Klett stated that,

when archiving content, 51% of the focus is typically on preservation, and 49% is on access because if the content is not preserved, then it will not be accessible in the future. Mr. Klett said the NJSCA focused on access, not preservation, and Ms. Tratner concurred. Chair Brooks said that he thought access would be a penultimate concern for philanthropists. Mr. Klett said there was a balance that would have to be found. Ms. Shanck stated that preservation always occurs at one moment in time and that future migration of the archive would be required. She said it would be easier to migrate the content from a newer format than it would be to do so from the original formats, but that ongoing migration from a "newly preserved copy" to another "newly preserved copy" must be anticipated and planned for within a certain number of years as part of the project. Mr. Ranger stated that the first step, which is the biggest, would be the initial digitization of the content. Ms. Tratner and Mr. Klett concurred, adding that the content would need to be migrated to a high quality and stable format.

Mr. Blair asked if there would be an ongoing interest in analog content, or if future requests would primarily focus on high definition assets. Ms. Shanck stated that older, analog content would always be of interest because people were always researching the past, though copies of older content might be requested in newer formats. Mr. Smartt asked Mr. Servidio if he anticipated an increased need in 2013 for archival footage related to previous gubernatorial campaigns since it would be an election year. Mr. Servidio stated that he did anticipate a need for footage in 2013, but it was difficult to locate footage when needed. Mr. Klett stated that when Phase One was complete, one would have a better chance of locating footage. Mr. Blair added that *NJN News* material was logged in a database for approximately the last ten (10) years, but that prior to that, paper rundown sheets were put in the tape boxes, and one would have to open each tape in order to see what it contained. Mr. Blair said images of those paper records would be available in the inventory that AVPS was creating so it would be possible to browse through that information on a computer, however, it would not yet be possible to do a keyword search for the content.

Ms. Manahan asked if some of the content would be more valuable to end users, thus contributing to NJPBA goals for prioritization. Mr. Ranger stated that funders would want to see a proof of concept and that it would be best to start with something that would create a buzz. Ms. Manahan stated that, in her opinion, *NJN News* footage would probably be the most valuable to the citizens of New Jersey since it was a composite of what New Jersey was all about, i.e. history, education, arts, culture, etc. Mr. Servidio added that the *NJN News* footage would be the most valuable for NJTV. Ms. Tratner stated that New Jersey would be celebrating it's 350th anniversary in 2014, and she suggested content might be relevant to that celebration in some way.

Ms. Shanck stated that she believed some grants would be available for specific subsets or collections from the assets, but that such collections would need to have special appeal. She said news content would be great because it was local and was done well. Ms. Shanck said that WGBH was archiving local news and suggested that it would be helpful to find out how that was funded. She said the content that Eagleton was interested in would be good because Eagleton knew exactly what was needed and that

would be a good collaboration for the NJPBA. Ms. Shanck said that executing a proof of concept project would inform other funding.

7. PUBLIC COMMENTS

There were no further comments from any members of the public.

8. ADJOURNMENT

Mr. Klett, Ms. Manahan, and Mr. Smartt all expressed their pleasure with the work that was done to date on the Archives project. Mr. Blair stated that he would keep the Committee members informed about further progress and that the Committee should meet again in the spring or thereafter. Chair Brooks stated that in the interim, NJPBA should engage Governor Kean and look at other state models for moving from preservation to access in order to demonstrate the value of this project. Mr. Blair stated that at the next meeting, the volume of assets in the Archives would be identified, and he would be able to create budgets for preservation.

Chair Brooks thanked everyone for their time and participation and thanked the NJPBA staff for their work on the Archives project. Chair Brooks asked for a motion to adjourn. Mr. Smartt made a motion to adjourn the meeting. Ms. Tratner seconded the motion. The motion was voted upon and approved unanimously. The meeting was adjourned at 4:42 p.m.